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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/036,865	12/21/2001	Wolfgang Wismeth	8223-84981	4342

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EXAMINER

FERNANDEZ, KALIMAH

ART UNIT PAPER NUMBER

2881

DATE MAILED: 04/23/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/036,865

Applicant(s)

WISMETH, WOLFGANG

Examiner

Kalimah Fernandez

Art Unit

2881

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Pat No. 6,224,751 issued to Hofmann et al and in view of US Pat No. 5,843,309 issued to Mancil.

3. Hofmann et al teaches a device for purifying drinking water (see abstract).

4. Hofmann et al teaches a container (1) having a handle (2) and a cover (4) that can be tilted open.

5. Hofmann et al does not teach a UV radiation and associated electronic control.

6. However, Mancil teaches a water purification system, which utilizes a UV source (3) along its center (col.2, lines 14-20).

7. Mancil teaches employing a radial filter (9) in combination with the UV sources for purification of said water (col.4, lines 1-23).

8. It would have been obvious to an ordinary artisan to combine the teachings of Hofmann et al and Mancil, since Mancil teaches the conventional knowledge of use of UV radiation in purification systems (col.1, lines 10-35).

9. Furthermore, obvious motivation to modify Hofmann et al with the UV source as taught by Mancil is found in Mancil's specifications. Mancil teaches a improved

purification system, which not only filters particulate matter and unwanted chemicals via filter (9) but also killing any microorganism present via UV source (11). Therefore, an ordinary artisan would have obvious motivation to modify Hofmann's apparatus, which teaches new technology and comfortability (col.5, lines 29-45) with the teachings of a UV source for killing microorganism as taught by Mancil.

10. As per claim 2, Mancil teaches the use of common household outlet (e.g. a 12 volt power supply) (see fig.2).

11. Claims 3-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hofmann et al and Mancil as applied to claim 1 above, and further in view of US Pat No 6,180,003 issued to Reber et al.

12. The obvious combination of Hofmann et al and Mancil teaches the claimed invention except for: timer; opening trigger; heating arrangement; and a solar module.

13. However, Reber et al teaches said limitations. It would have been obvious to an ordinary skilled artisan at the time this invention was made to incorporate the teachings of Reber et al into the obvious combination of Hofmann et al and Mancil. Since, Reber et al teaches the advantageous adaptability for storing, carrying, disinfecting, and dispensing (col.2, lines 15-28).

14. In regards to claim 3, Reber et al teaches an electrical control unit located at the bottom of said container (col.6, lines 56-67).

15. In regards to claim 4, Reber et al teaches a circuit closer which controls the disinfecting cycle for a predetermined time (col.4, lines 1-16). Further, Reber et al teaches a buzzer to alert a user (col.4, lines 48-57; col. 4, lines 1-2).

16. In regards to claim 5, Reber et al teaches the opening of container triggers the shutdown of the source (7) (col.5, lines 3-9).

17. In addition, Reber et al teaches a heating arrangement for the water as recited in claim 6 (see col.2, lines 50-55).

18. As per claim 7, Reber et al teaches a solar module (94) (col.5, lines 62-65; col.6, lines 10-12). It would have been obvious to an ordinary artisan to modify the obvious combination of Hofmann et al and Mancil with the solar module as taught by Reber et al, since Reber et al teaches the use of a solar power allows the apparatus to be powered using many means (col.5, lines 34-39).

Conclusion

19. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US Pat No. 5,628,895 issued to Zucholl.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kalimah Fernandez whose telephone number is 703-305-6310. The examiner can normally be reached on Mon-Thus between 8:30am-6:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Lee can be reached on 703-308-4116. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9318 for regular communications and 703-872-9319 for After Final communications.

• Application/Control Number: 10/036,865
Art Unit: 2881

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

kf
April 10, 2003



JOHN R. LEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800